UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,382	02/14/2002	Nikhil Awasthi	4366-51	1364

48500 7590 10/19/2005	EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *19 July 2005*.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-42* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-42* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Amendment

This Office Action is in response to a communication made on July 19, 2005.

Claims 1-6, 8-10, 12, 14-21, 23, 25-26, 28-34, 38-39, and 41-42 have been amended.

Claims 1-42 are pending in this application.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 17, and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Each claim has the limitation of "each subscriber having a corresponding local message repository," it is unclear in the claim whether the local message repositories are located on the subscriber device to locally store received messages or whether the repositories are located at the messaging system, where there would be a separate repository for each of the subscribers in the system stored locally at the messaging system. Please make the necessary changes to clear up the indefiniteness of this limitation.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Foladare (5905777).

Regarding claims 1, 17, and 30, Foladare teaches a method for processing a message received from a computational network (Column 1, lines 43 – 50), comprising: providing a messaging system in an enterprise network, the messaging system comprising a messaging server and a plurality of client communication devices corresponding to a plurality of subscribers, each subscriber having a corresponding local message repository (Column 4, lines 55 – 57); the messaging server receiving at least one network message addressed to a selected subscriber (Column 3, lines 57 – 61), the network message comprising a header and at least one of a body and an attachment (Figure 2, element 239, where the attachment is the E-mail ID that gets attached to the email message helping to identify it as seen in Column 3, lines 54 – 57); the messaging server parsing the header and the at least one of a body and an attachment to locate predetermined types of information, including at least one intended network message recipient; the messaging server assembling the predetermined types of information in at least one notification message, the at least one notification message having a smaller byte size than the at least one network message; and the messaging server forwarding the at least one notification message to the at least one intended network message recipient(Column 4, lines 29 – 40, where the system parses the sender ID, the title and the attachment and puts it into an alert message which is sent to the recipient).

Regarding claims 2, 18, and 31, Foladare teaches the method of claims 1, 17,

and 30, further comprising: the messaging server storing the at least one network

message in a central message store accessible by the plurality of clients communication

devices, wherein the central message store is remote from the client communication

devices (Column 4, lines 13 – 15; Column 6, lines 11 – 15, where the client devices can

go and get the received messages).

Regarding claim 4, Foldadare teaches the method of claim 2, further

comprising: at least one of removing the message from the central message store and

changing a presentation parameter associated with the at least one network message

when the at least one network message is viewed by a client (Column 4, lines 39 – 54,

where the user views the message, and chooses the forwarding destination, where the

entire email is presented, not just the summary, and the message is removed from the

buffer once it gets sent).

Regarding claims 10, 25, and 38, Foladare teaches the method of claims 1, 17,

and 30, wherein in the parsing step the predetermined types of information comprise a

type of communication device associated with the selected subscriber and further

comprising: selecting a presentation parameter for the at least one network message

based on the communication device type, whereby a first type of communication device

displays first information about at least one network message and a second type of

communication device displays second information about the at least one network

message (Column 5, lines 1 – 15, where the first type is a default address, where the

type of message is just a normal email address, and the second type is a pager service, where the message is reduced to just a message summery).

Regarding claims 11, 26, and 39, Foldadare teaches the method of claim 1, 17, and 39 wherein in the parsing step the predetermined types of information comprise at least one of terms, groups of terms, semantical relationships, pragmatical relationships, and syntactical relationships (Column 4, lines 59 – 61) wherein the network message is an email, and wherein each subscriber's mail box is a message store local to the subscriber's client communication device (Column 4, lines 8 – 15).

Regarding claim 12, Foldadare teaches the method of claim 1, wherein the at least one network message comprises at least one packet wherein the network message is an email, and wherein each subscriber's mail box is a message store local to the subscriber's client communication device (Column 4, lines 8 – 15).

Regarding claims 13, 27, and 40, Foldadare teaches the method of claims 1, 17, and 30, wherein the at least one notification message comprises a source address of the network message, a destination address of the network message, a number of intended recipients of the network message, a subject of the network message (Column 3, lines 46 – 52), a priority of the network message (Column 4, lines 59 – 61), a timestamp associated with the network message (Column 3, line 57), and a summary of the body of the network message (Column 5, lines 11 – 15).

Regarding claim 14, Foldadare teaches the method of claim 1, further comprising, after the forwarding step, the messaging server downloading the at least one network message to a client (Column 6, lines 11 – 15).

Regarding claims 15, 28, and 41, Foldadare teaches the method of claims 1,

17, and 30, further comprising; when a user selects a notification message, the

messaging server retrieving a network address of a nonclient <u>communication device</u>

associated with the user; and <u>the messaging server</u> forwarding the corresponding at

least one network message to the nonclient <u>communication device</u> (Column 4, lines 39

– 54).

Regarding claims 16, 29, and 42, Foldadare teaches the method of claims 15,

28, and 41, wherein the nonclient <u>communication device</u> is at least one of a pager, a

PDA, a wireless telephone, a WAP, and an SMS device (Column 4, lines 53 – 54;

Figure 1, element 74).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 3, 19, and 32 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Foldadare in view of Hammond (6854007).

Regarding claims 3, 19, and 32, Foldadare teaches the method of claims 1, 17,

and 30.

Foldadore does not explicitly indicate that <u>the messaging server</u> determining a

value of a flag in the at least one network message, <u>the flag value being set by the</u>

sender; and when the state has a predetermined value, the messaging server resending

the notification message after a predetermined time interval has elapsed.

Hammond discloses a messaging server in which the messaging server

determining a value of a flag in the at least one network message, the flag value being

set by the sender; and when the state has a predetermined value, the messaging server

resending the notification message after a predetermined time interval has elapsed

(Abstract).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Hammond's disclosure of allowing a sender specify whether

a message should be resent after its not received within a certain time period to allow

the system to provide the sender with a more reliable method of ensuring the electronic

message is received by the desired recipient.

Claims 5-9, 20-24, and 33-37 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Foladare in view of Anderson (6442600).

Regarding claims 5, 20, and 33, Foldadare teaches the method of claims 1, 17,

and 30.

Foldadare does not explicitly indicate that first and second sets of network

messages are associated with a subscriber, wherein the first and second sets of

network messages are mutually exclusive, wherein each message in the first and

second sets of network messages has a corresponding predetermined expiration time,

each message in the first set of network messages has a common first expiration time,

wherein each message in the second set of network messages has a common second

expiration time, and wherein the first and second expiration times are different.

Anderson teaches a messaging system which stores messages in a messaging

server where the messaging server that includes first and second sets of network

messages are associated with a subscriber, wherein the first and second sets of

network messages are mutually exclusive, wherein each message in the first and

second sets of network messages has a corresponding predetermined expiration time,

each message in the first set of network messages has a common first expiration time,

wherein each message in the second set of network messages has a common second

expiration time, and wherein the first and second expiration times are different (Column

7, lines 53 – 67; Figure 2) where Anderson discloses a table that keeps track of a set of

messages that were sent to a plurality of recipients and are related to a single message

stored on the central server. As seen in Figure 2, there are seen at least 2 sets and

each set has an indicator for its very own expiration time and they are exclusive

meaning that whether one has been seen, viewed, resent, saved, or deleted does not

effect the other message set.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Anderson's teaching of a centralized messaging system for

keeping track of a set of messages at the central server and having an expiration time

exclusively for each of those sets in Foldadare's messaging system in order to allow the

system to operate for multiple recipients of a message while not forcing the recipients of

those messages to waste their own storage space and allowing the central system to be in charge of achieving and deleting messages.

Regarding claims 6, 21, and 34, Foladare teaches the method of claims 5, 20, and 33.

Foladare does not explicitly indicate wherein at least some of the expiration times in the first and/or second sets of network messages are set by a <u>sender</u> of the <u>each</u> network message.

Anderson teaches that at least some of the expiration times in the first and/or second sets of network messages are set by a <u>sender</u> of the <u>each</u> network message (Column 8, lines 51 – 56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Anderson's teaching of a centralized messaging system for keeping track of a set of messages at the central server and having an expiration time exclusively for each of those sets in Foldadare's messaging system in order to allow the system to operate for multiple recipients of a message while not forcing the recipients of those messages to waste their own storage space and allowing the central system to be in charge of achieving and deleting messages.

Regarding claims 7, 22, and 35, Foladare teaches the method of claims 6, 21, and 33.

Foladare does not explicitly indicate wherein the at least some of the expiration times are in the "X" fields of the network messages corresponding to the messages in the first and/or second sets of network messages.

Anderson teaches that at least some of the expiration times are in the "X" fields

of the network messages corresponding to the messages in the first and/or second sets

of network messages (Column 8, lines 51 – 56) where if the sender is specifying a

maximum expiration period that information has to be located in a field of the message.

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Anderson's teaching of a centralized messaging system for

keeping track of a set of messages at the central server and having an expiration time

exclusively for each of those sets in Foldadare's messaging system in order to allow the

system to operate for multiple recipients of a message while not forcing the recipients of

those messages to waste their own storage space and allowing the central system to be

in charge of achieving and deleting messages.

Regarding claims 8, 23, and 36, Foldadare teaches the method of claims 5, 20,

and 33,

Foldadare does not explicitly indicate the messaging server comparing the first

expiration time of a network message in the first set of network messages with an actual

age of the corresponding network message; and when the expiration time of the

network message at least one of equals and exceeds the actual age, the messaging

server removing the corresponding network message from the first set of messages for

all recipients for the corresponding network message.

Anderson teaches the messaging server comparing the first expiration time of a

network message in the first set of network messages with an actual age of the

corresponding network message; and when the expiration time of the network message

at least one of equals and exceeds the actual age, <u>the messaging server</u> removing the corresponding network message from the first set of messages for all recipients for the corresponding network message (Figure 2, where the expiration time is based on a time period after the message was received thus based on the actual age of the message).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Anderson's teaching of a centralized messaging system for keeping track of a set of messages at the central server and having an expiration time exclusively for each of those sets in Foldadare's messaging system in order to allow the system to operate for multiple recipients of a message while not forcing the recipients of those messages to waste their own storage space and allowing the central system to be in charge of achieving and deleting messages.

Regarding claims 9, 24, and 37, Foldadare teaches the method of claims 5, 20, and 33.

Foldadare does not explicitly indicate a third set of network messages corresponding to the selected subscriber, wherein each message in the third set of network messages has no predetermined expiration time associated therewith.

Anderson teaches a third set of network messages corresponding to the selected subscriber, wherein each message in the third set of network messages has no predetermined expiration time associated therewith (Figure 2, where the set does not need an expiration time, such as when the users agree to save the message and it is archived in the database).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to use Anderson's teaching of a centralized messaging system for

keeping track of a set of messages at the central server and having an expiration time

exclusively for each of those sets in Foldadare's messaging system in order to allow the

system to operate for multiple recipients of a message while not forcing the recipients of

those messages to waste their own storage space and allowing the central system to be

in charge of achieving and deleting messages.

Prior Art

The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

U. S. Patent No. 6678361 issued to Rooke, because it discloses an email system

that checks the capabilities of a user before forwarding mail to that device and coverts

the mail to different presentation types depending on the capabilities.

U. S. Patent No. 6118856 issued to Paarsmarkt, because it discloses only

sending portions of messages to the user.

U. S. Patent No. 5958006 issued to Eggleston, because it discloses creating

summaries of messages and notifying the user of message using the summaries.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kevin Bates whose telephone number is (571) 272-

3980. The examiner can normally be reached on 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

KB

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October 15, 2005

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SUPERVISORY PATENT EXAMINER